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EXAMINER

SCUDERI, PHILIP S

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/960,232

**Applicant(s)**

WANG ET AL.

**Examiner**

Philip S. Scuderi

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☒ Claim(s) 24 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Oath/Declaration*

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required.

See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because the filing date of the provisional application that applicant is claiming the benefit of under 35 U.S.C. 119(e) is incorrect. The filing date should be 05/04/2001 rather than 05/05/2001.

### *Drawings*

Figures 4 and 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: figure 1 #30, figure 5 #211, figure 12 #301, and figure 14 #305. Corrected drawing sheets in

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compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures.

If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 36. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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The drawings are objected to under 37 CFR 1.83(a) because they fail to show “do\_field”, “g\_card\_types”, “g\_card\_num”, and “g\_expiry\_date” as described in the specification (last paragraph on page 29). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to because figures 12, 13, and 14 should be labeled “Automatic Mode”, “Single Mode”, and “Multiple Mode” respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all

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of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The disclosure is objected to because of the following informalities: "onNoReco attribute 303" on page 24 lines 24-25 is incorrect and should read "onReco attribute 303" in order to comply with the drawings. Appropriate correction is required.

### ***Claim Objections***

Claim 24 is objected to because of the following informalities: "as a function a dialog module". The examiner suggests "as a function of a dialog module". Appropriate correction is required.

Claim 26 is objected to because of the following informalities: "inputted to at at least one of the client and the web server". The examiner suggests "inputted to at least one of the client and the web server". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2, 9, 13, 14, 20, 35, and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 35, and 36 recite the limitation "the user" in lines 8, 3, and 2 respectively. There is insufficient antecedent basis for this limitation in the claims.

Claim 2 recites the limitation "the information received from the web server and provided to the client" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claims 9 and 20 recite the limitation "the remote server" in lines 2-3 and 2-3 respectively. There is insufficient antecedent basis for this limitation in the claims.

Claim 13 recites the limitation "the contents" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the information received from the web server and provided to each of the client devices" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 9, 25, 34, 35, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Barclay et al. (U.S. Patent No. 5,960,399, hereinafter Barclay).

With respect to claim 1, Barclay discloses a server/client system for processing data, the system comprising:

- a network comprising:
  - a web server having information accessible remotely (fig. 4 #(80, 82));
  - a client device having a rendering device to indicate fields to be entered (fig. 4 #70, col. 9 lines 2-5), the client device configured to record input data associated with each of the fields upon an indication by the user of which field subsequent input is intended for (necessary to perform function discussed in col. 9 lines 2-5), and wherein the client device is adapted to send the input data to a remote location (col. 5 lines 36-64); and
- a recognition server configured to receive the input data and return data indicative of what was recognized to at least one of the client and the web server (fig. 4 #80, col. 5 line 65 – col. 6 line 19).



With respect to claim 2, Barclay discloses the server/client system applied to claim 1. Barclay further discloses the information received from the web server and provided to the client device being a markup language (col. 8 lines 37-47).

With respect to claim 9, Barclay discloses the server/client system applied to claim 1. Barclay further discloses the client adapted to normalize the input data prior to sending the input data to the remote server (col. 5 lines 2-10).

With respect to claim 25, Barclay discloses the server/client system for processing data applied to claim 1. Barclay further discloses said server/client system for processing data wherein the web server and the recognition server are located on a single machine (fig. 4 #80).

With respect to claim 34, Barclay discloses a method for processing voice recognition in a client/server system comprising:

- transmitting from a web server (fig. 4 #(80, 82)) to a client device (fig. 4 #70) a markup language page having extensions configured to obtain input data from a user of the client device (col. 8 lines 48-51);
- rendering the markup language page on the client device (col. 8 lines 52-56);
- obtaining input data as a function of input from the user (col. 8 lines 56-58);
- transmitting the input data (col. 5 lines 36-64) and an indication of an associated grammar (col. 8 lines 26-28) to a recognition server remote from the client device (fig. 4 #80); and
- receiving a recognition result from the recognition server indicative of what was inputted at at least one of the client device and web server (col. 5 line 65 – col. 6 line 19).

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With respect to claim 35, Barclay discloses the method for processing voice recognition applied to claim 34. Barclay further discloses the method for processing voice recognition wherein the markup language includes displaying fields for data entry (necessary in order to perform the functions discussed in col. 9 lines 2-5), and wherein obtaining input data includes receiving an indication from the user as to which field subsequent input is associated with (necessary in order to perform the functions discussed in col. 9 lines 2-5).

With respect to claim 37, Barclay discloses the method for processing voice recognition applied to claim 34. Barclay further discloses the method for processing voice recognition wherein the markup language comprises one of HTML, XHTML, cHTML, XML and WML (col. 4 lines 37-47).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 8 are rejected as being obvious over Barclay in view of *Using the HTML Converter*, Sun Microsystems, June 8, 2001 hereinafter referred to as HTML Converter.

With respect to claim 3, Barclay discloses the server/client system applied to claim 2 in which the user interface is an applet (col. 9 lines 2-5). Barclay does not expressly disclose the markup language received by the client device comprising one or several markup portions and one or several script portions. Nonetheless, a markup language including an applet wherein the markup language includes one or several markup portions and one or

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several script portions is well known, as evidenced by HTML Converter. In a similar art, HTML Converter discloses an application for converting a markup language into a markup language including one or several markup portions and one or several script portions (p. 2 #2, p. 3 #6, p. 6-7 HTML and script converted using the extend.tpl template). Given the teachings of HTML Converter it would have been obvious to a person of ordinary skill in the art modify the server/client system taught by Barclay to obtain the invention as specified in claim 3. The motivation for doing so would have been to convert a file containing applets to a form that uses Java™ Plug-in (HTML Converter p. 1 1<sup>st</sup> paragraph lines 1-2).

With respect to claim 8, Barclay in view of HTML Converter discloses the server/client system applied to claim 3. Barclay further discloses the markup language comprising one of HTML, XHTML, cHTML, XML, and WML (col. 8 lines 42-47).

Claims 4, 5, and 7 are rejected as being obvious over Barclay in view of HTML Converter, and further in view of Jochumson (U.S. Patent No. 5,453,290).

With respect to claim 4, Barclay in view of HTML Converter teaches the server/client system for processing data applied to claim 3. Barclay in view of HTML Converter does not teach the markup language including an indication associating a grammar with a field. Nonetheless, providing an indication associating a grammar with a field is well known, as evidenced by Jochumson. In a similar art, Jochumson discloses a method and system for network based speech recognition wherein a user selects a speech exercise on a web page and is provided an associating grammar reference (col. 4 lines 43-46). Given the teachings of Jochumson it would have been obvious to a person of ordinary skill in the art to modify the system taught by Barclay in view of HTML Converter to obtain the invention

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specified in claim 4 by including an indication associating a grammar with a field. The motivation for doing so would have been so that the client device is aware of the grammar associated with each field on the web page and can therefore pass this information along with the input data so that the recognition server is aware of the grammar associated with each field and can thus interpret the input data appropriately.

With respect to claim 5, Barclay in view of HTML Converter and further in view of Jochumson teaches the server/client system applied to claim 4. Barclay further discloses the recognition server receiving the input data and an indication of the grammar (col. 8 lines 26-28).

With respect to claim 7, Barclay in view of HTML Converter and further in view of Jochumson teaches the server/client system applied to claim 5. Barclay further discloses the grammar being stored on the recognition server (col. 4 lines 18-22) and wherein the indication of the grammar includes a reference to the grammar for the recognition server (col. 8 lines 26-28).

Claim 6 is rejected as being obvious over Barclay in view of HTML Converter, further in view of Jochumson, and further in view of Dragosh et al. (U.S. Patent No. 6,366,886, hereinafter Dragosh).

With respect to claim 6, Barclay in view of HTML Converter and further in view of Jochumson teaches the server/client system applied to claim 5. Barclay in view of HTML Converter and further in view of Jochumson does not teach the server/client system wherein the grammar is stored on the client device and transferred to the recognition server with the input data. Nonetheless, transferring grammar stored on a client device to a

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recognition server along with voice input data is well known, as evidenced by Dragosh. In a similar art, Dragosh discloses a system for providing speech recognition services wherein a grammar is stored on a client device and transferred to a recognition server with input voice data (Abstract lines 6-10, col. 2 lines 18-24). Given the teachings of Dragosh it would have been obvious to a person of ordinary skill in the art to modify the server/client system by storing the grammar on the client device and transferring the grammar to the recognition server – obtaining the invention specified in claim 6. The motivation for doing so would have been so that if the recognition server doesn't have a certain grammar then the user is able to supply the grammar to the recognition server.

Claims 10 and 11 is rejected as being obvious over Barclay in view of *JavaServer Pages™ Technology – Frequently Asked Questions*, Sun Microsystems, August 27, 1999 hereinafter referred to as JSP.

With respect to claim 10, Barclay discloses the server/client system applied to claim 2. Barclay does not expressly the web server including a server side plug-in module for dynamically generating a markup language page for the client device. Nevertheless, a server side plug-in module that dynamically generates a markup language page for a client device is well known. In a similar art, JSP discloses a server side plug-in module for dynamically generating a markup language page for a client device (p. 1 “JavaServer Pages™ (JSP) technology provides a simplified, fast way to create web pages that display dynamically-generated content.”, p. 4 “A JSP technology-enabled engine interprets tags and scriptlets, and generates the content required - for example, by calling a bean, accessing a database with the JDBC™ API or including a file. It then sends the results back in the form of an HTML

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(or XML) page to the browser.”). Given the teachings of JSP it would have been obvious to one of ordinary skill in the art to modify the server/client system by including a server side plug-in module for dynamically generating a markup language page - obtaining the invention specified in claim 10. The motivation for doing so would have been to provide a way to create dynamically generated content for a client.

With respect to claim 11, Barclay in view of JSP teaches the server/client system applied to claim 10. JSP further discloses the markup language comprising one of HTML, XHTML, cHTML, XML, and WML (p. 4 “A JSP technology-enabled engine interprets tags and scriptlets, and generates the content required - for example, by calling a bean, accessing a database with the JDBC™ API or including a file. It then sends the results back in the form of an HTML (or XML) page to the browser.”).

Claims 12, 13, 20, and 36 are rejected as being obvious over Barclay in view of Berstis (U.S. Patent No. 6,349,132, hereinafter Berstis).

With respect to claim 12, Barclay discloses the server/client system applied to claim 1. Barclay does not disclose a second client device having a microphone and a speaker, the second client device configured to record speech data associated with each of a set of fields in response to prompts given to the user, and wherein the second client device is adapted to send the speech data to the recognition server. In a similar art, Berstis discloses a system for voice control of an application comprising a client device having a microphone and a speaker (fig. 2 # 15) and configured to record speech data (col. 2 lines 27-32), and wherein the client device is adapted to send the speech data to a recognition server (fig. 2 #17, col. 2 lines 27-32). Given the teachings of Berstis it would have been obvious to a person of

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ordinary skill in the art to modify the server/client system taught by Barclay by including a second client device configured to record speech data as taught by Berstis associated with each of a set of fields (Barclay col. 9 lines 2-5) in response to prompts given to the user. The motivation for doing so would have been so that users can access the system hands-free.

With respect to claim 13, Barclay in view of Berstis discloses the server/client system for processing data applied to claim 12. Berstis further discloses the second client device comprising a telephone (fig. 2 #15) and a voice browser capable of rendering the contents from the web browser (necessary to perform the function discussed in col. 4 lines 12-14).

With respect to claim 14, Barclay in view of HTML Converter discloses the server/client system applied to claim 13. Barclay further discloses the server/client system wherein the information received from the web server and provided to the client devices is a markup language (col. 8 lines 42-47).

With respect to claim 20, Barclay in view of Berstis teaches the server/client system for processing data applied to claim 12. Barclay further discloses the server/client system wherein the client is adapted to normalize the input data prior to sending the input data to the remote server (col. 5 lines 2-10).

With respect to claim 36, Barclay discloses the method for processing voice recognition applied to claim 34. Barclay does not disclose the method for processing voice recognition wherein rendering the markup language includes audibly prompting the user. In a similar art, Berstis discloses a system for voice control of an application comprising a telephone (fig. 2 # 15), configured to record speech data (col. 2 lines 27-32), and wherein the telephone is adapted to send the speech data to a recognition server (fig. 2 #17, col. 2 lines 27-32), and wherein the telephone is adapted to render a markup language by audibly

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prompting a user (Abstract lines 9-10). Given the teachings of Berstis it would have been obvious to a person of ordinary skill in the art to modify the method for processing voice recognition taught by Barclay by using a telephone interface to render the web page by audibly prompting the user. The motivation for doing so would have been so that visually impaired users could use the method.

Claim 15 is rejected as being obvious over Barclay in view of Berstis, and further in view of *SCRIPT – Client-side Script*, Web Design Group, May 13<sup>th</sup>, 1998 hereinafter referred to as *Client-side Script*.

With respect to claim 15, Barclay in view of Berstis teaches the server/client system applied to claim 14. Barclay further discloses the server/client system wherein the markup language received by the client comprises one or several markup portions (col. 8 lines 42-47), however Barclay does not expressly disclose the markup language comprising one or several script portions. Nonetheless, a markup language comprising one or several script portions is well known, as evidenced by *Client-side Script*. In a similar art, *Client-side Script* discloses a markup language comprising one or several script portions (p. 1 “The SCRIPT element includes a client-side script in the document.”). Given the teachings of *Client-side Script* it would have been obvious to a person of ordinary skill in the art to modify the client/server system to use a markup language comprising one of several markup portions as well as one or several script portions - obtaining the invention specified in claim 15. The motivation for doing so would have been to allow greater interactivity in a document by responding to user events (*Client-side Script* p. 1 “Client-side script allow greater interactivity in a document by responding to user events.”).



Claims 16, 17, and 19 are rejected as being obvious over Barclay in view of Berstis, further in view of Client-side Script, and further in view of Jochumson.

With respect to claim 16, Barclay in view of Berstis, further in view of Client-side Script teaches the server/client system applied to claim 15. Barclay in view of Berstis, further in view of Client-side Script does not expressly teach the server/client system wherein the markup language includes an indication associating a grammar with a field, the indication having the same form from each of the client devices. Nevertheless, providing an indication associating a grammar with a field is well known, as evidenced by Jochumson. In a similar art, Jochumson discloses a method and system for network based speech recognition wherein a user selected a speech exercise on a web page and is provided an associating grammar reference (col. 4 lines 43-46). Given the teachings of Jochumson it would have been obvious to a person of ordinary skill in the art to modify the server/client system applied to claim 15 by including an indication associating a grammar with each field, the indication having the same form for each of the client devices. The motivation for doing so would have been so that a client device is aware of the grammar associated with each field and can therefore transfer this information along with the input data so that the recognition server is aware of the grammar associated with each field.

With respect to claim 17, Barclay in view of Berstis, further in view of Client-side Script, and further in view of Jochumson teaches the server/client system applied to claim 16. Barclay further discloses the recognition server receiving the input data and the indication of the grammar (col. 8 lines 26-28).

With respect to claim 19, Barclay in view of Berstis, further in view of Client-side Script, and further in view of Jochumson teaches the server/client system applied to claim 17. Barclay further discloses the server/client system wherein the grammar is stored on the recognition server (col. 4 lines 18-22) and wherein the indication of the grammar includes a reference to the grammar for the recognition server (col. 8 lines 26-28).

Claim 18 is rejected as being obvious over Barclay in view of Berstis, further in view of Client-side Script, further in view of Jochumson, and further in view of Dragosh.

With respect to claim 18, Barclay in view of Berstis, further in view of Client-side Script, and further in view of Jochumson teaches the server/client system applied to claim 17. Barclay in view of Berstis, further in view of Client-side Script, and further in view of Jochumson does not teach the server/client system wherein the grammar is stored on the client device and transferred to the recognition server with the input data. Nevertheless, transferring grammar stored on a client device to a recognition server along with input data is well known, as evidenced by Dragosh. In a similar art, Dragosh discloses a system for providing speech recognition services wherein a grammar is stored on a client device and transferred to a recognition server with input data (Abstract line 6-10, col. 2 lines 18-24). Given the teachings of Dragosh it would have been obvious to a person of ordinary skill in the art to modify the server/client system applied to claim 17 by transferring the grammar to the recognition server along with the input data - obtaining the invention as specified by claim 18. The motivation for doing so would have been so that if the recognition server doesn't have a specific grammar on file then the user is able to supply the grammar to the recognition server so that the recognition server can process the input data appropriately.

Claims 21, 22, and 23 are rejected as being obvious over Barclay in view of Berstis, and further in view of *XML and XSL from servers to cell-phones*, Ramin Firoozye and Ranbir Chawla, September 2<sup>nd</sup>, 1998 hereinafter referred to as Firoozye.

With respect to claim 21, Barclay in view of Berstis teaches the server/client system applied to claim 12. Barclay in view of Berstis does not expressly teach the server/client system wherein the web server includes a server side plug-in module for dynamically generating markup language for each of the client devices. Nonetheless, a server side plug-in module that dynamically generates markup language for each client device is well known, as evidenced by Firoozye. In a similar art, Firoozye discloses a server side plug-in module for dynamically generating markup language for client devices (fig. 2, p. 3 "HTML code dynamically generated via an application server"). Given the teachings of Firoozye it would have been obvious to a person of ordinary skill in the art to modify the server/client system by including a server side plug-in module for dynamically generating markup language for each of the client devices as taught by Firoozye. The motivation for doing so would have been to provide a way to create dynamically generated content for a client.

With respect to claim 22, Barclay in view of Berstis, and further in view of Firoozye teaches the server/client system applied to claim 21. Firoozye further discloses the server side plug-in module dynamically generating markup language as a function of the type of client device (p. 3 "Today, through XML and XSL technologies, the HTML can be generated on-the-fly, with the added benefit that the flavor of display markup can be chosen at runtime", fig. 3).

With respect to claim 23, Barclay in view of Berstis, and further in view of Firoozye teaches the server/client system applied to claim 22. It would have been necessary for the server side plug-in disclosed by Firoozye to detect the type of client device in order to perform the function disclosed in fig. 3 and discussed in the above rejection of claim 22.

Claim 24 is rejected as being obvious over Barclay in view of Berstis, further in view of Firoozye, and further in view of Thelen et al. (U.S. Patent No. 6,526,380 hereinafter Thelen).

With respect to claim 24, over Barclay in view of Berstis, further in view of Firoozye teaches the server/client system applied to claim 21. Barclay in view of Berstis, further in view of Firoozye does not expressly teach the web server including a plurality of dialog modules accessible by the server side plug-in module, each dialog module pertaining to obtaining data using speech recognition, the server side plug-in module generating the markup language as a function of a dialog module. In a similar art, Thelen discloses a speech recognition system having a server (fig. 3 #300) including a plurality of dialog modules accessible by a server side plug-in module (fig. 3 #350), each module pertaining to obtaining data using speech recognition (fig. 3 #(331, 332, 333)), the server side plug-in module generating the markup language as a function of a dialog module (col. 7 lines 50-52). Given the teachings of Thelen it would have been obvious to a person of ordinary skill in the art to design the web server of the server/client system to include a plurality of dialog modules accessible by the server side plug-in as taught by Thelen to obtain the invention specified in claim 24. The motivation for doing so would have been to provide a recognition system that is better capable of dealing with huge vocabularies (col. 1 lines 53-55).

Claims 26, 27, 28, 30, 32, 33, and 39 are rejected as being obvious over Barclay in view of Jochumson.

With respect to claim 26, Barclay discloses a server/client system for processing data, the system comprising:

- a network comprising:
  - a web server having information accessible remotely (fig. 4 #80, 82));
  - a client device having a microphone (necessary to perform record speech) and a rendering component (fig. 4 #78), the client device configured to obtain the information from the web server (fig. 4 “HTTP Connection”), the information having corresponding fields (col. 9 lines 2-5), the client device further configured to record input data associated with each of the fields (col. 9 lines 2-5), and wherein the client device is adapted to send the input data to a remote location (col. 5 lines 36-64); and
- a recognition server configured to receive the input data (fig. 4 #80), the recognition server returning data indicative of what was inputted to at least one of the client and the web server (col. 5 line 65 – col. 6 line 19).

Barclay does not disclose sending the input data to a remote location with an indication of a grammar to use for speech recognition and the recognition server configured to receive the indication of the grammar. However, providing a grammar reference is well known, as evidenced by Jochumson. In a similar art, Jochumson discloses a method and system for network based speech recognition wherein a user selects a speech exercise on a web page and is provided an associating grammar reference (col. 4 lines 43-46). Given the teachings of

Jochumson it would have been obvious to a person of ordinary skill in the art to modify the server/client system taught by Barclay by adapting the client device to send an indication of a grammar to use for input recognition to the recognition server - obtaining the invention specified in claim 26. The motivation for doing so would have been so that the recognition server is aware of the grammar thus interpret the input data appropriately.

With respect to claim 27, Barclay in view of Jochumson teaches the server/client system applied to claim 26. Barclay further discloses the server/client system wherein the information received from the web server and applied to the client device is a markup language (col. 8 lines 37-47).

With respect to claim 28, Barclay in view of Jochumson teaches the server/client system applied to claim 27. Barclay further discloses the server/client system wherein markup language comprises one of HTML, XHTML, cHTML, XML and WML (col. 8 lines 37-47).

With respect to claim 30, Barclay in view of Jochumson teaches the server/client system applied to claim 26. Barclay further discloses the server/client system wherein the grammar is stored on the recognition server (col. 4 lines 18-22) and wherein the indication of the grammar includes a reference to the grammar for the recognition server (col. 8 lines 26-28).

With respect to claim 32, Barclay in view of Jochumson teaches the server/client system applied to claim 26. Barclay further discloses the server/client system wherein the rendering component comprises a display showing the fields (col. 9 lines 2-5).

With respect to claim 33, Barclay in view of Jochumson teaches the server/client system applied to claim 26. It would have been obvious to one of ordinary skill in the art to

locate the client and the recognition server on the same machine. The motivation for doing so would have been to eliminate the overhead of transmitting input data from the client to a recognition server located elsewhere on the network.

With respect to claim 39, Barclay discloses the method for processing voice recognition applied to claim 34. Barclay does not disclose the method for processing voice recognition wherein transmitting the indication of the grammar comprises transmitting a reference to the recognition server as to where the grammar is located. Nonetheless, transmitting a grammar reference location is well known, as evidenced by Jochumnsn. In a similar art, Jochumnsn discloses a method for speech recognition wherein a client transmits an indication of a grammar comprising a reference to a recognition server as to where the grammar is located (col. 10 line 65 – col. 11 line 17). Given the teachings of Jochumnsn it would have been obvious to a person of ordinary skill in the art to modify the method for processing voice recognition by transmitting a reference to the recognition server as to where the grammar is located. The motivation for doing so would have been to indicate the appropriate grammar to the recognition server so that the input data is processed correctly.

Claim 29 is rejected as being obvious over Barclay in view of Jochumnsn, and further in view of Dragosh.

With respect to claim 29, Barclay in view of Jochumnsn teaches the server/client system applied to claim 26. Barclay in view of Jochumnsn does not teach the server/client system wherein the grammar is stored on the client device and transferred to the recognition server with the input data. Nonetheless, transferring grammar stored on a client device to a recognition server along with input data is well known, as evidenced by Dragosh. In a similar

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art, Dragosh discloses a system for providing speech recognition services wherein a grammar is stored on a client device and transferred to a recognition server with input data (Abstract lines 6-10, col. 2 lines 18-24). Given the teachings of Dragosh it would have been obvious to a person of ordinary skill in the art to modify the server/client system by supplying the grammar along with the input data – obtaining the invention specified by claim 29. The motivation for doing so would have been so that if the recognition server doesn't have a specific grammar then the user is able to supply the grammar to the recognition server.

**Claim 31 is rejected as being obvious over Barclay in view of Jochumson, and further in view of Berstis.**

With respect to claim 31, Barclay in view of Jochumson teaches the server/client system applied to claim 26. Barclay in view of Jochumson does not teach the server/client system wherein the client device comprises a telephone and the rendering component comprises a speaker. Nonetheless, a client device comprising a telephone and the rendering device component comprising a speaker is well known, as evidenced by Berstis. In a similar art, Berstis discloses a remote web page reader and voice recognizer comprising a telephone and the rendering component comprising a speaker (fig. 2 #15). Given the teachings of Berstis it would have been obvious to a person of ordinary skill in the art to attach a telephone comprising a speaker to the client device. The motivation for doing so would have been so that a visually impaired user could use the system.

**Claim 38 is rejected as being obvious over Barclay in view of Dragosh.**



With respect to claim 38, Barclay discloses the method for processing voice recognition applied to claim 34. Barclay does not disclose the method for processing voice recognition wherein transmitting the indication of the grammar comprises transmitting the grammar. Nonetheless, transferring grammar stored on a client device to a recognition server along with input data is well known, as evidenced by Dragosh. In a similar art, Dragosh discloses a method for providing speech recognition services wherein a grammar is stored on a client device and transferred to a recognition server with input data (Abstract lines 6-10, col. 2 lines 18-24). Given the teachings of Dragosh it would have been obvious to a person of ordinary skill in the art to modify the method for processing voice recognition by transmitting the grammar along with the input data to the recognition server – obtaining the invention specified by claim 38. The motivation for doing so would have been so that if the recognition server doesn't have a certain grammar then the user is able to supply the grammar to the recognition server.

### *Conclusion*

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Hempill (U.S. Patent No. 5,774,628)
- Bardy (U.S. Patent No. 6,203,495)
- Low et al. (U.S. Patent No. 6,243,443)
- Wesemann et al. (U.S. Patent No. 6,349,132)
- Besling et al. (U.S. Patent No. 6,757,655)
- Thrift et al. (U.S. Pub. No. 2001/0034603)

- Leamon et al. (U.S. Pub. No. 2002/0107891)
- Thomas et al. (U.S. Pub. No. 2002/0128845)

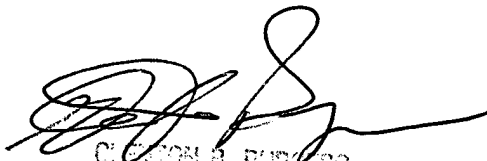
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865.

The examiner can normally be reached on Monday-Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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